

ATTORNEY'S DOCKET NO. 10522/2

PATENT

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, we hereby declare that:

Our residence, post office address, and citizenship are as stated below next to our name.

We believe we are the original, first, and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **INTERACTIVE REWARD SYSTEM AND METHOD**  
the specification of which

X is attached hereto.

— was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_ or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claim(s), as amended by any amendment referred to above. We do not know and do not believe that the claimed invention was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a), a copy of which is attached.

**PRIOR FOREIGN APPLICATION(S)**

We hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

APPLICATION NUMBER	COUNTRY	FILING DATE (day, month, year)	PRIORITY CLAIMED Yes _____ No _____

**PRIOR UNITED STATES APPLICATION(S)**

We hereby claim the benefit under Title 35, United States Code, §§ 119(e) and/or 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

APPLICATION NUMBER	FILING DATE (day, month, year)	STATUS (i.e. Patented, Pending, Abandoned)

**POWER OF ATTORNEY: I [We] hereby appoint:**

Paul H. Heller (Reg. No. 21,074); John C. Almiller (Reg. No. 25,951); Felix L. D'Arsenzo, Jr. (Reg. No. 27,631); Shawn W. O'Dowd (Reg. No. 34,687); Joseph R. Palmieri (40,760) of KENYON & KENYON with offices located at 1025 Connecticut Ave., N.W., Washington, D.C. 20036, telephone (202) 429-1776 my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

KJ-6412-1

EXPRESS MAIL LABEL NO.: S

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SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:

John C. Altmiller  
KENYON & KENYON  
1025 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 429-1776 (phone)  
(202) 429-0796 (facsimile)

We hereby declare that all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	WOOD	RAHN	
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	COMO	AUSTRALIA	AUSTRALIA
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
	11 TARONGA STREET	COMO	NSW, 2226, AUSTRALIA
Signature	R. L.	Date 23 April 1999	

FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	BREESE	CHARLES	EDWARD
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	REDFERN	AUSTRALIA	AUSTRALIA
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
	40 KEPOS STREET	REDFERN	NSW, 2016, AUSTRALIA
Signature	C. Breese	Date 23 April 1999	

**Title 37, Code of Federal Regulations, Section 1.56**  
**Duty to Disclose Information Material to Patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

PTO/SB/10 (1-99)  
Approved for use through 09/30/2000. GMB 0551-0037  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.8(f) & 1.27(c))—SMALL BUSINESS CONCERN

Docket Number (Optional):

Applicant, Patentee, or Identifier: Rahn Wood and Charles Edward BreezeApplication or Patent No.: N/AFiler/Assignee: N/ATitle: Interactive Reward System and Method

I hereby state that I am:

the owner of the small business concern identified below.

an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN: The Internet Money Exchange Pty. Ltd.ADDRESS OF SMALL BUSINESS CONCERN: Level 12, 456 Kent Street, Sydney,  
New South Wales, Australia

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20418.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with this as listed above.

the application identified above.

the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the Inventor, who would not qualify as an independent Inventor under 37 CFR 1.8(e) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.8(d), or a nonprofit organization under 37 CFR 1.8(e).

Each person, concern, or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.

each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file. In this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING: CHARLES EDWARD BREEZE RAHN WOODTITLE OF PERSON IF OTHER THAN OWNER: DIRECTOR

DIRECTOR

ADDRESS OF PERSON SIGNING: 40 KEPSS STREET, REDFERN  
NSW, 2016, AUSTRALIA 11 TARONGA ST, COMO  
NSW 2226 AUSTRALIASIGNATURE: Charles RWDATE: 23 Apr. 1 1999

23 April 1999

Statement: This form is estimated to take 0.2 hours to complete. Times will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Office Information Officer, Patent and Trademark Office, Washington, DC 20591. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20591.

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PTO/SB/09 (12-97)  
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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(e) & 1.27(b))-INDEPENDENT INVENTOR

Docket Number (Optional)

Applicant, Patentee, or identifier: Rahn Wood and Charles Edward BreeeseApplication or Patent No.: N/AFiled or issued: N/ATitle: Interactive Reward System and Method

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

the specification filed herewith with this as listed above.

the application identified above.

the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

No such person, concern, or organization exists.

Each such person, concern, or organization is listed below.

**The Internet Money Exchange Pty, Ltd.**

Level 12

456 Kent Street

Sydney, New South Wales, Australia

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Rahn Wood  
NAME OF INVENTOR

R.W.

Signature of inventor

23 Apr. 1 1999

Date

Charles Edward Breeese  
NAME OF INVENTOR

C.E.Breeese

Signature of inventor

23 April 1999

Date

NAME OF INVENTOR

Signature of inventor

Date

**Small Entity Statement:** This form is estimated to take 0.3 hours to complete. This will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Office Information Officer, Patent and Trademark Office, Washington, DC 20591. DO NOT SEND PAYMENT OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20591.

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